



Docket No.: 1293.1128

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jae-seong SHIM et al.

Serial No. 09/612,971

Group Art Unit: 2133

Confirmation No. 9406

Filed: July 10, 2000

Examiner: Christine Trinh Le Tu

For: ERROR CORRECTION METHOD FOR HIGH DENSITY DISC

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed January 18, 2005.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the Examiner recites that the prior arts do not teach the combination of features as noted in Item 1 of page 2 of the Notice of Allowability. However, the Examiner has noted the features recited in independent claim 1, whereas independent claims 35 and 42 do not



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recite such features.

More specifically, for example, claim 35 does not recite a remainder. As another example, claim 42 does not recite a recording frame is formable where f is not equal to o.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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